

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCE

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Ex parte NAREN CHAGANTI

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Application 09/307,752

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ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

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This application was electronically received at the Board of Patent Appeals and Interferences (BPAI) on January 27, 2006. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matter requiring attention prior to docketing are identified below.

On August 9, 2000, appellants filed an Information Disclosure Statement (IDS). It is not clear from the record whether the examiner considered the IDS or whether the examiner notified appellants of why their submission did not meet the criteria set forth in 37 CFR §§ 1.97 and 1.98. The references listed is neither initialed nor crossed out.

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On September 2, 2003, the Examiner mailed a Final rejection. On page 1 of the rejection number 6) indicates that claims 7-44 are rejected. However, the examiner did not mention in his final rejection or in the Examiner's Answer the rejection of claim 25. It is unclear as to what grounds claim 25 is rejected under. Clarification is required.


Accordingly, it is ORDERED that the application is return to the Examiner to:

- 1) consider the Information Disclosure Statements filed August 9, 2000;
- 2) provide appropriate written notification by the examiner to appellants of such consideration;
- 3) to clarify the status of claim 25 and, if needed, to vacate the Examiner's Answer mailed on February 18, 2005, and issue a revised Examiner Answer to include all claims and the grounds in which they are rejected under;

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- 4) to have a copy of the consideration of the Information Disclosure Statement and revised Examiner's Answer scanned into the record; and
- 5) for such further action as may be appropriate.

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